

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DANIEL M. GAWRYSIAK,	§	
SPN 01627248,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION H-12-0113
	§	
STATE OF TEXAS, <i>et al.</i> ,	§	
	§	
Defendants.	§	

MEMORANDUM ORDER OF DISMISSAL

While detained in the Harris County, Texas Jail, plaintiff filed a complaint pursuant to 42 U.S.C. § 1983 and an application to proceed *in forma pauperis*. (Docket Entries No.1, No.2). A notice mailed days later to plaintiff at the Harris County Jail has been returned to the Court with a statement that plaintiff has been released from custody. (Docket Entry No.4).

Plaintiff, however, has not provided the Court with a forwarding address, as required by local rule 83.4. Under that rule, a *pro se* litigant is responsible for keeping the Clerk advised in writing of his current address. The Court will only send notices to the address on file. Plaintiff has clearly failed to provide the Court with an accurate, current address.


Plaintiff's failure to pursue this action forces the Court to conclude that he lacks due diligence. Therefore, under the inherent powers necessarily vested in a court to manage its own affairs, this Court determines that dismissal for want of prosecution is appropriate. See Fed. R. Civ. P. 41(b); Woodson v.

Surgitek, Inc., 57 F.3d 1406, 1417 (5th Cir. 1995). Plaintiff is advised, however, that upon a proper showing, relief from this order may be granted in accordance with Rule 60(b) of the Federal Rules of Civil Procedure.

Accordingly, the present civil rights action is DISMISSED without prejudice for want of prosecution. All pending motions are DENIED.

The Clerk will provide a copy of this Order to all parties.

SIGNED at Houston, Texas, on March 12, 2012.


EWING WERLEIN, JR.
UNITED STATES DISTRICT JUDGE